

SECOND REGULAR SESSION

SENATE BILL NO. 608

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4834S.02I

AN ACT

To amend chapter 208, RSMo, by adding thereto two new sections relating to MO HealthNet health care provider fees.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto two new sections, to be known as sections 208.142 and 208.148, to read as follows:

208.142. 1. Beginning October 1, 2016, a MO HealthNet participant who uses hospital emergency department services for the treatment of a medical condition that is not an emergency medical condition shall be required to pay a copayment fee of eight dollars for such services. A participant shall be notified of the eight dollar copayment prior to services being rendered.

2. For the purposes of this section, an "emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in the following:

(1) Placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;

(2) Serious impairment to bodily functions;

(3) Serious dysfunction of any bodily organ or part.

3. The department of social services shall promulgate rules for the implementation of this section, including setting forth rules for the required documentation by the physician and the informed consent to be provided to and signed by the parent or guardian of the

22 participant. Any rule or portion of a rule, as that term is defined in
23 section 536.010, that is created under the authority delegated in this
24 section shall become effective only if it complies with and is subject to
25 all of the provisions of chapter 536, and, if applicable, section
26 536.028. This section and chapter 536, are nonseverable, and if any of
27 the powers vested with the general assembly under chapter 536, to
28 review, to delay the effective date, or to disapprove and annul a rule
29 are subsequently held unconstitutional, then the grant of rulemaking
30 authority and any rule proposed or adopted after August 28, 2016, shall
31 be invalid and void.

32 4. The department shall submit such state plan amendments and
33 waivers to the Centers for Medicare and Medicaid Services of the
34 federal Department of Health and Human Services as the department
35 determines are necessary to implement the provisions of this section.

208.148. 1. MO HealthNet health care providers shall be
2 permitted to prohibit a MO HealthNet participant who misses an
3 appointment or fails to provide notice of cancellation within twenty-
4 four hours prior to the appointment from scheduling another
5 appointment until the participant has paid a missed appointment fee
6 to the health care provider as follows:

7 (1) For the first missed appointment, a fee of no greater than five
8 dollars;

9 (2) For the second missed appointment, a fee of no greater than
10 ten dollars; and

11 (3) For the third and each subsequent missed appointment, a fee
12 of no greater than twenty dollars.

13 2. The health care provider shall not charge to nor shall the MO
14 Healthnet participant be reimbursed by the MO HealthNet program for
15 the missed appointment fee.

16 3. The department shall submit such state plan amendments and
17 waivers to the Centers for Medicare and Medicaid Services of the
18 federal Department of Health and Human Services as the department
19 determines are necessary to implement the provisions of this section.